

I. NATIONAL MILITARY PARKS

1. Chickamauga and Chattanooga National Military Park,
Georgia and Tennessee

FIFTY-FIRST CONGRESS. SESS. I. CH. 806. 1890.

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CHAP. 806.—An Act to establish a national military park at the battle-field of Chickamauga.

August 19, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and suitably marking for historical and professional military study the fields of some of the most remarkable maneuvers and most brilliant fighting in the war of the rebellion, and upon the ceding of jurisdiction to the United States by the States of Tennessee and Georgia, respectively, and the report of the Attorney General of the United States that the title to the lands thus ceded is perfect, the following described highways in those States are hereby declared to be approaches to and parts of the Chickamauga and Chattanooga National Military Park as established by the second section of this act, to wit: First. The Missionary Ridge Crest road from Sherman Heights at the north end of Missionary Ridge, in Tennessee, where the said road enters upon the ground occupied by the Army of the Tennessee under Major-General William T. Sherman, in the military operations of November twenty-fourth and twenty-fifth, eighteen hundred and sixty-three; thence along said road through the positions occupied by the army of General Braxton Bragg on November twenty-fifth, eighteen hundred and sixty-three, and which were assaulted by the Army of the Cumberland under Major-General George H. Thomas on that date, to where the said road crosses the southern boundary of the State of Tennessee, near Rossville Gap, Georgia, upon the ground occupied by the troops of Major-General Joseph Hooker, from the Army of the Potomac, and thence in the State of Georgia to the junction of said road with the Chattanooga and Lafayette or State road at Rossville Gap; second, the Lafayette or State road from Rossville, Georgia, to Lee and Gordon's Mills, Georgia; third, the road from Lee and Gordon's Mills, Georgia, to Crawfish Springs, Georgia; fourth, the road from Crawfish Springs, Georgia, to the crossing of the Chickamauga at Glass' Mills, Georgia; fifth, the Dry Valley road from Rossville, Georgia, to the southern limits of McFarland's Gap in Missionary Ridge; sixth, the Dry Valley and Crawfish Springs road from McFarland's Gap to the intersection of the road from Crawfish Springs to Lee and Gordon's Mills; seventh, the road from Ringold, Georgia, to Reed's Bridge on the Chickamauga River; eighth, the roads from the crossing of Lookout Creek across the northern slope of Lookout Mountain and thence to the old Summertown Road and to the valley on the east slope of the said mountain, and thence by the route of General Joseph Hooker's troops to Rossville, Georgia, and each and all of these herein described roads shall, after the passage of this act, remain open as free public highways, and all rights of way now existing through the grounds of the said park and its approaches shall be continued.

Chickamauga and
Chattanooga
National Military
Park established.
Purpose.
Conditions.
Jurisdiction.
Title.
Highways
declared
approaches to and
parts of park.
Description of
roads.

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To remain free
public highways.
Rights of way.

Conditions.
Jurisdiction.

Title.
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Supra.

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Secretary of War.

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to remain, etc.

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commissioners.

Composition, etc.,
of commission.

Secretary of
commission.
Office.

SEC. 2. That upon the ceding of jurisdiction by the legislature of the State of Georgia, and the report of the Attorney-General of the United States that a perfect title has been secured under the provisions of the act approved August first, eighteen hundred and eighty-eight, entitled "An act to authorize condemnation of land for sites of public buildings, and for other purposes," the lands and roads embraced in the area bounded as herein described, together with the roads described in section one of this act, are hereby declared to be a national park, to be known as the Chickamauga and Chattanooga National Park; that is to say, the area inclosed by a line beginning on the Lafayette or State road, in Georgia, at a point where the bottom of the ravine next north of the house known on the field of Chickamauga as the Cloud House, and being about six hundred yards north of said house, due east to the Chickamauga River and due west to the intersection of the Dry Valley road at McFarland's Gap; thence along the west side of the Dry Valley and Crawfish Springs roads to the south side of the road from Crawfish Springs to Lee and Gordon's Mills; thence along the south side of the last named road to Lee and Gordon's Mills; thence along the channel of the Chickamauga River to the line forming the northern boundary of the park, as hereinbefore described, containing seven thousand six hundred acres, more or less.

SEC. 3. That the said Chickamauga and Chattanooga National Park, and the approaches thereto, shall be under the control of the Secretary of War, and it shall be his duty, immediately after the passage of this act to notify the Attorney General of the purpose of the United States to acquire title to the roads and lands described in the previous sections of this act under the provisions of the act of August first, eighteen hundred and eighty-eight; and the said Secretary, upon receiving notice from the Attorney-General of the United States that perfect titles have been secured to the said lands and roads, shall at once proceed to establish and substantially mark the boundaries of the said park.

SEC. 4. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present out-lines of field and forest, and that they will only cut trees or under-brush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 5. That the affairs of the Chickamauga and Chattanooga National Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, each of whom shall have actively participated in the battle of Chickamauga or one of the battles about Chattanooga, two to be appointed from civil life by the Secretary of War, and a third, who shall be detailed by the Secretary of War from among those officers of the Army best acquainted with the details of the battles of Chickamauga and Chattanooga, who shall act as Secretary of the Commission. The said commissioners and Secretary shall have an office in the War

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Department building, and while on actual duty shall be paid such compensation, out of the appropriation provided in this act, as the Secretary of War shall deem reasonable and just.

SEC. 6. That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to superintend the opening of such roads as may be necessary to the purposes of the park, and the repair of the roads of the same, and to ascertain and definitely mark the lines of battle of all troops engaged in the battles of Chickamauga and Chattanooga, so far as the same shall fall within the lines of the park as defined in the previous sections of this act, and, for the purpose of assisting them in their duties and in ascertaining these lines, the Secretary of War shall have authority to employ, at such compensation as he may deem reasonable and just, to be paid out of the appropriation made by this act, some person recognized as well informed in regard to the details of the battles of Chickamauga and Chattanooga, and who shall have actively participated in one of those battles, and it shall be the duty of the Secretary of War from and after the passage of this act, through the commissioners, and their assistant in historical work, and under the act approved August first, eighteen hundred and eighty-eight, regulating the condemnation of land for public uses, to proceed with the preliminary work of establishing the park and its approaches as the same are defined in this act, and the expenses thus incurred shall be paid out of the appropriation provided by this act.

SEC. 7. That it shall be the duty of the commissioners, acting under the direction of the Secretary of War, to ascertain and substantially mark the locations of the regular troops, both infantry and artillery, within the boundaries of the park, and to erect monuments upon those positions as Congress may provide the necessary appropriations; and the Secretary of War in the same way may ascertain and mark all lines of battle within the boundaries of the park and erect plain and substantial historical tablets at such points in the vicinity of the Park and its approaches as he may deem fitting and necessary to clearly designate positions and movements, which, although without the limits of the Park, were directly connected with the battles of Chickamauga and Chattanooga.

SEC. 8. That it shall be lawful for the authorities of any State having troops engaged either at Chattanooga or Chickamauga, and for the officers and directors of the Chickamauga Memorial Association, a corporation chartered under the laws of Georgia, to enter upon the lands and approaches of the Chickamauga and Chattanooga National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War, and shall first receive the written approval of the Secretary, which approval shall be based upon formal written reports, which must be made to him in each case by the commissioners of the park.

SEC. 9. That the Secretary of War, subject to the approval of the President of the United States, shall have the power to make, and shall make, all needed regulations for the care of the park and for the establishment and marking of the lines of battle and other historical features of the park.

Commissioners' compensation.

Duties of commission.

Employment of assistant, expert. Compensation.

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Preliminary work of establishing park, etc. Expenses.

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injury, etc., to
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fines, in moieties.
How recoverable.

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SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breast-works, earth-works, walls, or other defenses or shelter, on any part thereof, constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed, shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than fifty dollars, one-half to the use of the park and the other half to the informer, to be enforced and recovered, before such justice, in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

SEC. 11. That to enable the Secretary of War to begin to carry out the purposes of this act, including the condemnation and purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, maps and surveys, and the pay and expenses of the commissioners and their assistant, the sum of one hundred and twenty-five thousand dollars, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress.

Approved, August 19, 1890.

2. Fort Donelson National Military Park, Tennessee

SEVENTIETH CONGRESS. SESS. I. CH. 248. 1928.

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CHAP. 248.—An Act To establish a national military park at the battle field of Fort Donelson, Tennessee.

March 26, 1928.

[H. R. 5500]

[Public, No. 187.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Fort Donelson, Tennessee, and the historical events associated therewith.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Fort Donelson, Tennessee, and to carefully study the available records and historical data with respect to the location and movement of all troops which engaged in the Battle of Fort Donelson, and the important events connected therewith, with a view of preserving and marking such field for historical and professional military study. The commission shall submit a report of its findings and recommendations to the Secretary of War not later than December 1, 1928. Such report shall describe the portion or portions of land within the area of the battle field which the commission thinks should be acquired and embraced in a national park and the price at which such land can be purchased and its reasonable market value; the report of the commission shall also embrace a map or maps showing the lines of battle and the locations of all troops engaged in the Battle of Fort Donelson and the location of the land which it recommends be acquired for the national park; the report of the commission shall contain recommendations for the location of historical tablets at such points on the battle field, both within and without the land to be acquired for the park, as they may deem fitting and necessary to clearly designate positions and movements of troops and important events connected with the Battle of Fort Donelson.

SEC. 4. The Secretary of War is authorized to assign any officials of the War Department to the assistance of the commission if he deems it advisable. He is authorized to pay the reasonable expenses of the commission and their assistants incurred in the actual performance of the duties herein imposed upon them.

Fort Donelson, Tenn., battle-field. Commission created. Army Engineer officer.

United States Civil War veteran.

Qualifications of commission.

Duty of commission, to inspect battle field, etc.

Report of findings to Secretary of War.

Subjects to be considered.

Assignment of officials.

Expenses authorized.

Acquiring lands by purchase or condemnation.

Establishment, etc., as a national military park.

Proviso.
Cost limitation.

Upon cession of jurisdiction by Tennessee, etc., to be Fort Donelson National Park.

Control of Secretary of War. Superintendent.

Agreements with present holders of lands, for protection thereof, etc.

States may mark lines of battle of their troops.

Proviso.
Marking, etc., subject to approval of Secretary of War.

Penalty for destroying, injuring, etc., property.

SEC. 5. That, upon receipt of the report of said commission, the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by the commission, together with such other points as the Secretary of War may deem appropriate: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, the cost of marking the battle field, and the expenses of the commission, shall not exceed the sum of \$50,000.

SEC. 6. That, upon the ceding of jurisdiction by the Legislature of the State of Tennessee and the report of the Attorney General of the United States that a perfect title has been acquired, the lands acquired under the provisions of this Act, together with the area already inclosed within the national cemetery at the battle field of Fort Donelson, are hereby declared to be a national park, to be known as the Fort Donelson National Park.

SEC. 7. That the said Fort Donelson National Park shall be under the control of the Secretary of War, and he is hereby authorized to make all needed regulations for the care of the park. The superintendent of the Fort Donelson National Cemetery shall likewise be the superintendent of and have the custody and care of the Fort Donelson National Park, under the direction of the Secretary of War.

SEC. 8. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 9. That it shall be lawful for the authorities of any State having troops engaged in the Battle of Fort Donelson to enter upon the lands and approaches of the Fort Donelson National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War and shall first receive the written approval of the Secretary.

SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection

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or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breastworks, earthworks, walls, or other defenses or shelter, or any part thereof, constructed by the armies formerly engaged in the battle on the lands or approaches to the park, any person so offending shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall for each and every such offense be fined not less than \$5 nor more than \$100.

Amount
authorized to be
expended.
Post, pp. 929,
1666.

SEC. 11. That the sum of \$50,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended for the purposes of this Act.

Approved, March 26, 1928.

3. Fredericksburg and Spotsylvania County Battle Fields Memorial, Virginia

SIXTH-NINTH CONGRESS. SESS. II. CH. 127. 1927.

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CHAP. 127.—An Act To establish a national military park at and near Fredericksburg, Virginia, and to mark and preserve historical points connected with the battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Virginia.

February 14, 1927

[H. R. 9045.]

[Public, No. 609.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the Civil War battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, all located at or near Fredericksburg, Virginia, and to mark and preserve for historical purposes the breastworks, earthworks, gun emplacements, walls, or other defenses or shelters used by the armies in said battles, so far as the marking and preservation of the same are practicable, the land herein authorized to be acquired, or so much thereof as may be taken, and the highways and approaches herein authorized to be constructed, are hereby declared to be a national military park to be known as the Fredericksburg and Spotsylvania County Battle Fields Memorial whenever the title to the same shall have been acquired by the United States, the said land so to be acquired being the land necessary for a park of the plan indicated on the index map sheet filed with the report of the Battle Field Commission appointed pursuant to an Act entitled "An Act to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Virginia," approved on the 7th day of June, 1924, said index map sheet being referred to in said report, and particularly in the "Combined Plan—Antietam system," described in said report, the first of the plans mentioned in said report under the heading "Combined Plan—Antietam system" being the plan which is hereby adopted, the said land herein authorized to be acquired being such land as the Secretary of War may deem necessary to establish a park on the combined plan, Antietam system, above referred to, the particular boundaries of such land to be fixed by surveys made previous to the attempt to acquire the same, and authority is hereby given to the Secretary of War to acquire for the purposes of this Act the land above mentioned, or so much thereof as he may deem necessary, together with all such existing breastworks, earthworks, gun emplacements, walls, defenses, shelters, or other historical points as the Secretary of War may deem necessary, whether shown on said index map sheet or not, and together also with such additional land as the Secretary of War may deem necessary for monuments, markers, tablets, roads, highways, paths, approaches, and to carry out the general purposes of this Act. As title is acquired to parts of the land herein authorized to be acquired, the Secretary of War may proceed with the establishment of the park upon such portions so acquired, and the remaining portions of the lands desired shall be respectively brought within said park as titles to said portions are severally acquired.

Fredericksburg and Spotsylvania County Battle Fields Memorial, Va.

Established as a national military park when title to land, etc., acquired.

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Description of plan.

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Authority to acquire land, etc.

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Condemnation
proceedings to
acquire land.
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Provisos.
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owners.

Acceptance of
donations.

Payment to await
approval of title.

Leases with
owners for lands
unnecessary to
purchase.

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Provisos.
Cultivation, etc.,
of holdings.

Condition.

Proceeds from
leases of acquired
lands.

SEC. 2. The Secretary of War is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize condemnation of lands for sites for public buildings, and for other purposes" (Twenty-fifth Statutes at Large, page 357), to acquire title to the lands, interests therein, or rights pertaining thereto within the said Fredericksburg and Spotsylvania County Battle Fields Memorial, herein above authorized to be acquired, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the Eastern District of Virginia: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which in the opinion of the commission, hereinafter referred to, and the Secretary of War, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of War is hereby authorized to accept on behalf of the United States, donations of lands, interests therein or rights pertaining thereto required for the said Fredericksburg and Spotsylvania County Battle Fields Memorial: *And provided further*, That no public money shall be expended for title to any lands until a written opinion of the Attorney General shall be had in favor of the validity of title thereto.

SEC. 3. The Secretary of War is hereby authorized to enter into leases with the owners of such of the lands, works, defenses, and buildings thereon within the said Fredericksburg and Spotsylvania County Battle Fields Memorial, as in his discretion it is unnecessary to forthwith acquire title to, and such leases shall be on such terms and conditions as the Secretary of War may prescribe, and may contain options to purchase, subject to later acceptance if in the judgment of the Secretary of War it is as economical to purchase as condemn title to the property: *Provided*, That the Secretary of War may enter into agreements upon such nominal terms as he may prescribe, permitting the present owners or their tenants to occupy or cultivate their present holdings, upon condition that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings, and roads, and the present outlines of the battle fields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority: *Provided further*, That if such agreements to lease cover any lands the title to which shall have been acquired by the United States, the proceeds from such agreements shall be applied by the Secretary of War toward the maintenance of the park.

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SEC. 4. The affairs of the said Fredericksburg and Spotsylvania County Battle Fields Memorial shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, consisting of Army officers, civilians, or both, to be appointed by the Secretary of War, one of whom shall be designated as chairman and another as secretary of the commission.

Commission to have charge of affairs of park.

SEC. 5. It shall be the duty of the commissioners, under the direction of the Secretary of War, to survey, locate, and preserve the lines of the opposing armies in said battles, to open, construct, and repair such roads, highways, paths, and other approaches as may be necessary to make the historical points accessible to the public and to students of said battles and for the purposes of the park, to ascertain and mark with historical monuments, markers, tablets, or otherwise, as the Secretary of War may determine, all breastworks, earthworks, gun emplacements, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity, and to establish and construct such observation towers as the Secretary of War may deem necessary for said park, and the said commission in establishing the park shall have authority, under the direction of the Secretary of War, to employ such labor and services at rates to be fixed by the Secretary of War, and to obtain such supplies and materials as may be necessary to carry out the provisions of this Act.

Duties prescribed.

SEC. 6. The commission, acting through the Secretary of War, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the said Fredericksburg and Spotsylvania County Battle Fields Memorial: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Fredericksburg and Spotsylvania County Battle Fields Memorial fund," which fund shall be applied to and expended under the direction of the Secretary of War for carrying out the provisions of this Act.

Acceptance of gifts, etc., authorized.

Proviso.
Moneys to be deposited to credit of special fund.

SEC. 7. It shall be lawful for the authorities of any State having had troops engaged in said battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, or in any of said battles, to enter upon the lands and approaches of the Fredericksburg and Spotsylvania County Battle Fields Memorial for the purposes of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of War, and shall first receive

States may mark lines of battle of their troops.

Provisos.
Approval of marking, etc., by the Secretary of War.

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No discrimination
in designating
lines.

written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State.

Penalty for
destroying,
injuring, etc.,
property.

SEC. 8. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof before any justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than \$5 nor more than \$50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

Recovery.

Rules, etc., to be
prescribed.

SEC. 9. The Secretary of War, subject to the approval of the President, shall have the power to make and shall make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park.

Report to
Congress on
acquisition of
land.
Superintendent to
be appointed.

SEC. 10. Upon completion of the acquisition of the land and the work of the commission, the Secretary of War shall render a report thereon to Congress, and thereafter the park shall be placed in charge of a superintendent at a salary to be fixed by the Secretary of War and paid out of the appropriation available for the maintenance of the park.

Authorization for
expenses.

SEC. 11. To enable the Secretary of War to begin to carry out the provisions of this Act, including the condemnation, purchase, or lease of the necessary lands, surveys, maps, marking the boundaries of the park, opening, constructing, or repairing necessary roads, pay and expenses of commissioners, salaries for labor and services, traveling expenses, supplies and materials, the sum of \$50,000 is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to remain available until expended, and such additional sums are hereby authorized to be appropriated from time to time as may be necessary for the completion of the project and for the proper maintenance of said park. All disbursements under this Act shall be annually reported by the Secretary of War to Congress.

Approved, February 14, 1927.

4. Gettysburg National Military Park, Pennsylvania

FIFTY-THIRD CONGRESS. SESS. III. CH. 80. 1895.

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CHAP. 80.—An Act To establish a national military park at Gettysburg, February 11, 1895.
Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to receive from the Gettysburg Battlefield Memorial Association, a corporation chartered by the State of Pennsylvania, a deed of conveyance to the United States of all the lands belonging to said association, embracing about eight hundred acres, more or less, and being a considerable part of the battlefield of Gettysburg, together with all rights of way over avenues through said lands acquired by said association, and all improvements made by it in and upon the same. Upon the due execution and delivery to the Secretary of War of such deed of conveyance, the Secretary of War is authorized to pay to the said Battlefield Memorial Association the sum of two thousand dollars, or so much thereof as may be necessary to discharge the debts of said association, the amount of such debts to be verified by the officers thereof, and the sum of two thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated to meet and defray such charges.

SEC. 2. That as soon as the lands aforesaid shall be conveyed to the United States the Secretary of War shall take possession of the same, and such other lands on the battlefield as the United States have acquired, or shall hereafter acquire, by purchase or condemnation proceedings; and the lands aforesaid, shall be designated and known as the "Gettysburg National Park."

SEC. 3. That the Gettysburg national park shall, subject to the supervision and direction of the Secretary of War, be in charge of the commissioners heretofore appointed by the Secretary of War for the location and acquisition of lands at Gettysburg, and their successors; the said commissioners shall have their office at Gettysburg, and while on duty shall be paid such compensation out of the appropriation provided in this Act as the Secretary of War shall deem reasonable and just. And it shall be the duty of the said commissioners, under the direction of the Secretary of War, to superintend the opening of such additional roads as may be necessary for the purposes of the park and for the improvement of the avenues heretofore laid out therein, and to properly mark the boundaries of the said park, and to ascertain and definitely mark the lines of battle of all troops engaged in the battle of Gettysburg, so far as the same shall fall within the limits of the park.

SEC. 4. That the Secretary of War is hereby authorized and directed to acquire, at such times and in such manner as he may deem best calculated to serve the public interest, such lands in the vicinity of Gettysburg, Pennsylvania, not exceeding in area the parcels shown on the map prepared by Major-General Daniel E. Sickles, United States Army, and now on file in the office of the Secretary of War, which were occupied by the infantry, cavalry and artillery on the first, second and third days of July, eighteen hundred and sixty-three, and such other adjacent lands as he may deem necessary to preserve the important topographical features of the battlefield: *Provided*, That nothing contained in this Act shall be

Gettysburg
National Park.

Acceptance of
land from Battle-
field Memorial
Association.

Appropriation.

Secretary of War
to take
possession, etc.

Designation.

Commissioners to
be appointed.

Compensation.

Duty.

Acquiring
additional land,
etc.

Proviso.
Rights not
prejudiced.

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FIFTY-THIRD CONGRESS. SESS. III. CH. 80. 1895.

Commissioners
to acquire lands
designated.

deemed and held to prejudice the rights acquired by any State or any military organization to the ground on which its monuments or markers are placed, nor the right of way to the same.

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Condemnation
proceedings.
Vol. 25, p. 357.

SEC. 5. That for the purpose of acquiring the lands designated and described in the foregoing section not already acquired and owned by the United States, and such other adjacent land as may be deemed necessary by the Secretary of War for the preservation and marking of the lines of battle of the Union and confederate armies at Gettysburg, the Secretary of War is authorized to employ the services of the commissioners heretofore appointed by him for the location, who shall proceed, in conformity with his instructions and subject in all things to his approval, to acquire such lands by purchase, or by condemnation proceedings, to be taken by the Attorney-General in behalf of the United States, in any case in which it shall be ascertained that the same can not be purchased at prices deemed reasonable and just by the said commissioners and approved by the Secretary of War. And such condemnation proceedings may be taken pursuant to the Act of Congress approved August first, eighteen hundred and eighty-eight, regulating the condemnation of land for public uses, or the Joint Resolution authorizing the purchase or condemnation of land in the vicinity of Gettysburg, Pennsylvania, approved June fifth, eighteen hundred and ninety-four.

Ante, p. 584.

Regulations,
etc.

SEC. 6. That it shall be the duty of the Secretary of War to establish and enforce proper regulations for the custody, preservation, and care of the monuments now erected or which may be hereafter erected within the limits of the said national military park; and such rules shall provide for convenient access by visitors to all such monuments within the park, and the ground included therein, on such days and within such hours as may be designated and authorized by the Secretary of War.

Penalty for
destroying
columns, etc.

SEC. 7. That if any person shall destroy, mutilate, deface, injure, or remove, except by permission of the Secretary of War, any column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park or any portion thereof, or shall destroy, cut, hack, bark, break down or otherwise injure any tree, bush, or shrubbery that may be, growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees, growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the land or approaches to the park, or shall violate any regulation made and published by the Secretary of War for the government of visitors within the limits of said park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed, shall, for each and every such offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the county where the offense may be committed.

Bronze tablet
containing
Lincoln's
address,
etc.

SEC. 8. That the Secretary of War is hereby authorized and directed to cause to be made a suitable bronze tablet, containing

FIFTY-THIRD CONGRESS. SESS. III. CH. 80. 1895.

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on it the address delivered by Abraham Lincoln, President of the United States, at Gettysburg on the nineteenth day of November, eighteen hundred and sixty-three, on the occasion of the dedication of the national cemetery at that place, and such tablet, having on it besides the address a medallion likeness of President Lincoln, shall be erected on the most suitable site within the limits of said park, which said address was in the following words, to wit:

Medallion.

"Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth."

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And the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the cost of said tablet and medallion and pedestal.

Appropriation for tablet and medallion.

SEC. 9. That, to enable the Secretary of War to carry out the purposes of this Act, including the purchase or condemnation of the land described in sections four and five of this Act, opening, improving, and repairing necessary roads and avenues, providing surveys and maps, suitably marking the boundaries of the park, and for the pay and expenses of the commissioners and their assistants, the sum of seventy-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated; and all disbursements made under this Act shall require the approval of the Secretary of War, who shall make annual report of the same to Congress.

Appropriation for expenses, etc.

Approved, February 11, 1895.

5. Guilford Courthouse National Military Park, North Carolina

996

SIXTY-FOURTH CONGRESS. SESS. II. CH. 152. 1917.

March 2, 1917.

[H. R. 8229.]

[Public, No. 375.]

CHAP. 152.—An Act To establish a national military park at the battle field of Guilford Courthouse.

Guilford Court-
house Military
Park, N.C.
Established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for historical and professional military study one of the most memorable battles of the Revolutionary War, the battle field of Guilford Courthouse, in the State of North Carolina, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States; that is to say, the area enclosed by the following lines:

Area described.

Those certain tracts or parcels of land in the county of Guilford and State of North Carolina, Morehead Township, more particularly described as follows:

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First tract: Beginning at a stone on the west side of the Greensboro macadam road; thence north eighty-six degrees five minutes west eight hundred and seventy-seven and one-tenth feet to a stone; thence north seven degrees fifty-five minutes west four hundred and eight and eight-tenths feet to a stone; thence north seven degrees five minutes east one hundred and ninety and eight-tenths feet to a stone; thence north sixty degrees forty-five minutes east two hundred and sixty-five and four-tenths feet to a stone; thence north fourteen degrees fifteen minutes west seven hundred and one and six-tenths feet to a stone; thence north eight degrees forty-five minutes west three hundred and forty-eight and one-tenth feet to a stone; thence north seventy-one degrees thirty-five minutes east nine hundred and thirty-seven and eight-tenths feet to a stone; thence south fifty degrees forty-five minutes east one hundred and fifty-seven and two-tenths feet to a stone; thence north seventy degrees forty-five minutes east eight hundred and seventy-five and five-tenths feet to a stone; thence north twenty-seven degrees twenty-eight minutes west two hundred and two and nine-tenths feet to a stone; thence north twenty-seven degrees eight minutes west two hundred and twenty-six and eight-tenths feet to a stone; thence north sixty-nine degrees forty-five minutes east two hundred and sixty-five and nine-tenths feet to a stone; thence north sixty-eight degrees fifty minutes east three hundred and seventy and eight-tenths feet to a stone; thence south fifty-three degrees fifty minutes east eight hundred and ninety-two feet to a stone; thence south eighty-three degrees twenty minutes east two hundred and ninety-one and four-tenths feet to a stone; thence south twenty-nine degrees twenty minutes west six hundred and fifty-five and seven-tenths feet to a stone; thence south twelve degrees fifty-five minutes west eight hundred and forty-three feet to a stone; thence about west ten feet to a stone; thence south six degrees five minutes west one hundred and thirty-three and four-tenths feet to a stone; thence north sixty degrees west thirty-eight feet to a stone; thence north forty-nine degrees west fifty-two and six-tenths feet to a stone; thence north eighty-seven degrees ten minutes west one thousand four hundred and twenty-seven and three-tenths feet to a stone; thence north twelve degrees forty minutes east one hundred and ninety-six and five-tenths feet to a stone; thence south seventy-one degrees west two hundred and thirty-seven and nine-tenths feet to a stone; thence south three degrees fifty-five minutes west one thousand and eleven and three-tenths feet to the beginning.

SIXTY-FOURTH CONGRESS. SESS. II. CH. 152. 1917.

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Second tract: Beginning at a stone on the south side of Holt Avenue; thence south nine degrees forty-five minutes west one hundred and nine and eight-tenths feet to a stone; thence south eighty-four degrees forty-five minutes east two hundred and forty-nine feet to a stone; thence northeasterly to Holt Avenue; thence with Holt Avenue north eighty-seven degrees ten minutes west to the beginning, on which is located the Joe Spring.

Together with all privileges and appurtenances thereunto belonging.

The aforesaid tracts of land containing in the aggregate one hundred and twenty-five acres, more or less, and being the property of the Guilford Battle-Ground Company, according to a survey by W. B. Trogdon and W. B. Trogdon, junior, made June eighth, nineteen hundred and eleven. And the area thus inclosed shall be known as the Guilford Courthouse National Military Park.

SEC. 2. That the establishment of the Guilford Courthouse National Military Park shall be carried forward under the control and direction of the Secretary of War, who is hereby authorized to receive from the Guilford Battle-Ground Company, a corporation chartered by the State of North Carolina, a deed of conveyance to the United States of all the lands belonging to said corporation, embracing one hundred and twenty-five acres, more or less, and described more particularly in the preceding section.

Acceptance of conveyance.

SEC. 3. That the Secretary of War is hereby authorized and directed to acquire at such times and in such manner such additional lands adjacent to the Guilford Courthouse National Military Park as may be necessary for the purposes of the park and for its improvement.

Adjacent lands.

SEC. 4. That the affairs of the Guilford Courthouse National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, one of whom shall be an actual resident of Guilford County, State of North Carolina, one an actual resident of the State of Maryland, and one an actual resident of the State of Delaware. They shall be appointed by the Secretary of War, the actual resident of Guilford County, State of North Carolina, so appointed to serve, unless sooner relieved, for a term of four years. The resident commissioner shall act as chairman and as secretary of the commission. One of the other commissioners so appointed shall serve for a term of three years, and the other for a term of two years, unless sooner relieved. Upon the expiration of the terms of said commissioners the Secretary of War shall, in the manner herein-before prescribed, appoint their successors, to serve, unless sooner relieved, for a term of four years each from the date of their respective appointments. The office of said commissioners shall be in the city of Greensboro, North Carolina. The resident commissioner shall receive as compensation \$1,000 per annum, the nonresident commissioners \$100 per annum each, and they shall not be entitled to any other pay or allowances of any kind whatsoever.

Commission created to control.

998
Appointments and terms.

Office and compensation.

Duties and
authority of
commission.

Regulations for
care, etc.

Marking positions
of troops.

Proviso.
Approval of
Secretary of War.

Penalty for
mutilations, etc.,
of property in.

Half of fine to
informer.

SEC. 5. That it shall be the duty of the commission named in the preceding section, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the Battle of Guilford Courthouse and other historical points of interest pertaining to the battle within the park or its vicinity; and the said commission in establishing this military park shall also have authority, under the direction of the Secretary of War, to employ such labor and services and to obtain such supplies and material as may be necessary to the establishment of said park, under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needed regulations for the care of the park.

SEC. 6. That it shall be lawful for any State that had troops engaged in the battle of Guilford Courthouse to enter upon the lands of the Guilford Courthouse National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them, by monuments, tablets, or otherwise, shall be submitted to and approved by the Secretary of War; and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Guilford, State of North Carolina, shall, for each and every such offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than \$5 nor more than \$50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the said county of Guilford, State of North Carolina.

Approved, March 2, 1917.

6. Kings Mountain National Military Park, South Carolina

SEVENTY-FIRST CONGRESS. SESS. III. CH. 437. 1931.

1508

CHAP. 437.—An Act To establish a national military park to commemorate the Battle of Kings Mountain.

March 3, 1931.

[H. R. 6128.]

[Public, No. 824.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the Battle of Kings Mountain which was fought on the 7th day of October 1780, the Kings Mountain battle ground, in the State of South Carolina, including such adjacent contiguous lands as may be useful and proper in effectually carrying out the purposes of this Act, is hereby declared to be a national military park, to be known as the Kings Mountain National Military Park, when such land including said battle ground shall become the property of the United States.

Kings Mountain
National Military
Park, N.C.
Establishment of.

Purposes declared.

SEC. 2. The Secretary of War shall ascertain on what land the Battle of Kings Mountain was fought and, subject to the provisions of section 355 of the Revised Statutes, shall proceed to acquire title to such land together with such adjacent and contiguous lands as he may deem useful and proper in effectually carrying out the purposes of this Act, either by purchase or gift or by condemnation under the provisions of the Act entitled "An Act to authorize condemnation of land for sites of public buildings, and for other purposes," approved August 1, 1888.

Location of
battlefield to
determine site.

Acquisition of
lands by purchase
or condemnation.

Vol. 25, p. 357.
U.S. C., p. 1302.

SEC. 3. Such park shall be under the control and direction of the Secretary of War. The Secretary is authorized to prescribe from time to time such regulations for the care and management of such park as he may deem necessary.

Control of
Secretary of War.
Regulations to be
prescribed.
Revocable permits
to holders of land.

SEC. 4. Upon such terms and conditions as he may prescribe, the Secretary of War is authorized to permit any person occupying any land within the boundaries of such park to continue to occupy such land, but the Secretary may revoke such permit at any time.

SEC. 5. The Secretary of War shall open or repair such roads in such park as may be necessary, and ascertain and mark with tablets or otherwise, as he may determine, all lines of battle of the American troops and British troops engaged in the Battle of Kings Mountain and other historical points of interest pertaining to the battle which are within the boundaries of the park. The Secretary is authorized to employ such labor and services and to obtain such supplies and materials as may be necessary to carry out the provisions of this section.

Road
construction, etc.
Historic markers.

Services and
supplies
authorized.

State cooperation.
Supervision of
Secretary of War.

SEC. 6. The authorities of any State which had troops engaged in the Battle of Kings Mountain may enter the Kings Mountain National Military Park for the purpose of ascertaining and marking the lines of battle of such troops, but before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be approved by the Secretary of War. Any State organization or individual may, with the approval of the Secretary of War, erect monuments or place tablets within such park.

Permission
extended to
individuals, etc.

1509
Appropriation
authorized.

SEC. 7. There is authorized to be appropriated the sum of \$225,000, or so much thereof as may be necessary, in order to carry out the provisions of this Act.

Approved, March 3, 1931.

7. Moores Creek National Military Park, North Carolina

684

SIXTY-NINTH CONGRESS. SESS. I. CH. 448. 1926.

June 2, 1926.

[H. R. 3796.]

[Public, No. 324.]

CHAP. 448.—An Act To establish a national military park at the battle field of Moores Creek, North Carolina.

Moores Creek, N.C.
National Military
Park established on
battle field of, in
Revolutionary War.

685

Tracts of land to be
acquired.

First tract.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for historical and professional military study one of the most memorable battles of the Revolutionary War, the battle field of Moores Creek, in the State of North Carolina, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States; that is to say, the area inclosed by the following lines:

Those tracts or parcels of land in the county of Pender, and State of North Carolina, more particularly described as follows:

First tract: Beginning at a stone at the run of Moores Creek, on the east bank of same, about twenty poles (in a straight line) above the new iron bridge, and running thence parallel to William Walker's line, south sixty-two and one-half degrees west eleven chains to a stake; thence south seven and one-half degrees east three and six-tenths chains to a stone at the south edge of the old stage road; thence along the south edge of said road south forty-six degrees east about five chains and eighty links to a stone; thence south thirty-seven and one-fourth degrees west fourteen chains and twelve links to a stone; thence north sixty-two and one-half degrees west ten chains and seventy-five links to a stone, a corner (4) of an eight-acre tract which the parties of the first part conveyed to Governor D. L. Russell, for the purposes aforesaid, by a deed dated January, 1898, and recorded in Pender County; thence with the lines of said tract north thirty-nine and one-half degrees east thirteen chains and twenty-seven links to a stake, the third corner of the said eight-acre tract; thence north fifty-one degrees west four chains to a stake about twenty feet from the old entrenchment (the second corner of the eight-acre tract); thence with the first line reversed north forty-four degrees west two chains to a sweet gum at the run of Moores Creek (the first corner of the eight-acre tract); thence up and with the run of said creek to the first station, containing twenty acres.

Second tract.

Second tract: Beginning at a sweet gum on the eastern edge of Moores Creek, running thence south forty-four degrees east two poles to a stake; thence south fifty-one degrees east four poles five links to a stake; thence south thirty-nine degrees west thirteen poles twenty-seven links to a stake; thence north fifty-one degrees west nine poles thirty-one links to a stake in the edge of Moores Creek; thence northerly with the creek to the beginning, containing eight acres more or less

Third tract.

Third tract: Beginning at a cypress on the edge of the run of Moores Creek about twenty feet from the west end of the old entrenchments and running thence in a line parallel to and ten feet distance from the outside or east edge of the old line of entrenchments in all the various courses of the same to a stake ten feet distant on the east side of the north end of said entrenchments; thence a direct line to the run of said Moores Creek; thence down said creek to the beginning, containing two acres, be the same more or less (the intention is to include all lands now known and designated as Moores Creek battlefield and now so recognized as such and owned by the State of North Carolina), together with all the privileges and appurtenances thereunto belonging.

SIXTY-NINTH CONGRESS. SESS. I. CH. 448. 1926.

685

The aforesaid tracts of land containing in the aggregate thirty acres, more or less, and being the property of the State of North Carolina, and the area thus inclosed shall be known as the Moores Creek National Military Park.

SEC. 2. The establishment of the Moores Creek National Military Park shall be carried forward under the control and direction of the Secretary of War, who is hereby authorized to receive from the State of North Carolina a deed of conveyance to the United States of all the lands belonging to the said State, embracing thirty acres, more or less, and described more particularly in the preceding section.

SEC. 3. That the affairs of the Moores Creek National Military Park shall be subject to the supervision and direction of the Secretary of War, and it shall be the duty of the War Department, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the Battle of Moores Creek, and other historical points of interest pertaining to the battle within the park or its vicinity; and the Secretary of War in establishing this military park is authorized to employ such labor and services and to obtain such supplies and material as may be considered best for the interest of the Government, and the Secretary of War shall make and enforce all needed regulations for the care of the park.

SEC. 4. It shall be lawful for any State that had troops engaged in the battle of the Moores Creek National Military Park, to enter upon the same for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, shall be submitted to and approved by the Secretary of War; and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War.

SEC. 5. If any person shall, except by permission of the Secretary of War, destroy, deface, injure, or remove any monument, column, statues, memorial structures, or work of art, which shall be placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other mark for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or remove or fell any timber battle relic tree, or tree growing upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Pender, State of North Carolina, shall, for each and every offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than \$5 nor more than \$50, one half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as fines of like nature are now by law recoverable in the said county of Pender, State of North Carolina.

Approved, June 2, 1926.

Area to be known as Moores Creek National Military Park.

Secretary of War to control, and accept conveyance of land from North Carolina.

Maintenance, etc. *Post*, p. 879

Marking with historical tablets. 686

Employment of services, etc.

Marking lines of battle by State troops.

Proviso. Submission for approval by the Secretary.

Defacing monuments, injuring property, etc., prohibited.

Penalty imposed by a justice of the peace of Pender County, N. C.

8. Petersburg National Military Park, Virginia

822

SIXTY-NINTH CONGRESS. SESS. I. CH. 745. 1926.

July 3, 1926.

[H. R. 7817.]

[Public, No. 467.]

CHAP. 746.—An Act To establish a national military park at the battle fields of the siege of Petersburg, Virginia.

Petersburg
National Military
Park, Va.
Established to
preserve battle
fields of, when title
acquired.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the campaign and siege and defense of Petersburg, Virginia, in 1864 and 1865 and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein the battle fields at Petersburg, in the State of Virginia, are hereby declared a national military park whenever the title to the same shall have been acquired by the United States by donation and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Virginia— that is to say, one hundred and eighty-five acres or so much thereof as the Secretary of War may deem necessary in and about the city of Petersburg, State of Virginia.

Acceptance of
donations of lands,
etc., authorized.

SEC. 2. That the Secretary of War is hereby authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Petersburg National Military Park.

Commission to
have supervision of,
etc.

SEC. 3. The affairs of the Petersburg National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, consisting of Army officers, civilians, or both, to be appointed by the Secretary of War, one of whom shall be designated as chairman and another as secretary of the commission.

Duties of
commission.

SEC. 4. It shall be the duties of the commissioners, under the direction of the Secretary of War, to superintend the opening or repair of such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity, and the said commission in establishing the park shall have authority, under the direction of the Secretary of War, to employ such labor and service at rates to be fixed by the Secretary of War, and to obtain such supplies and materials as may be necessary to carry out the provisions of this Act.

Acceptance of gifts,
etc., authorized.
Proviso.
Moneys to be
deposited to credit
of special fund.

SEC. 5. The commission, acting through the Secretary of War, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the Petersburg National Military Park: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Petersburg National Military Park Fund," which fund shall be applied to and expended under the direction of the Secretary of War, for carrying out the provisions of this Act.

States may mark
lines of battle of
their troops.

SEC. 6. It shall be lawful for the authorities of any State having had troops engaged at Petersburg, to enter upon the lands and approaches of the Petersburg National Military Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein:

SIXTY-NINTH CONGRESS. SESS. I. CH. 746. 1926.

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Provided, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription on for the same, shall be submitted to the Secretary of War and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any States to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State.

SEC. 7. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, enclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, breakdown or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any other court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the said United States commissioner or court, justice of the peace or other court, according to the aggravation of the offense, of not less than \$5 nor more than \$500, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court, justice of the peace or other court, in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

SEC. 8. The Secretary of War, subject to the approval of the President, shall have the power to make and shall make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park.

SEC. 9. Upon completion of the acquisition of the land and the work of the commission, the Secretary of War shall render a report thereon to Congress, and thereafter the park shall be placed in charge of a superintendent at a salary to be fixed by the Secretary of War and paid out of the appropriation available for the maintenance of the park.

SEC. 10. To enable the Secretary of War to begin to carry out the provisions of this Act, there is hereby authorized to be appropriated not more than the sum of \$15,000, out of any moneys in the Treasury not otherwise appropriated, to be available until expended, after the United States has acquired title, and disbursements under this Act shall be annually reported by the Secretary of War to Congress.

Approved, July 3, 1926.

Provisos.

Approval of marking, etc., by the secretary of War required.

No discrimination in designating lines.

Penalty for destroying, injuring, etc., property.

Recovery.

Rules, etc., to be prescribed.

Report to Congress on acquisition of the land. Superintendent to be appointed.

Authorization for expenses. *Post*, p. 1140.

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9. Shiloh National Military Park, Tennessee

FIFTY-THIRD CONGRESS. SESS. III. CH. 12. 1894.

597

CHAP. 12.—An Act To establish a national military park at the battlefield of Shiloh. December 27, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order that the armies of the southwest which served in the civil war, like their comrades of the eastern armies at Gettysburg and those of the central west at Chickamauga, may have the history of one of their memorable battles preserved on the ground where they fought, the battlefield of Shiloh, in the State of Tennessee, is hereby declared to be a national military park, whenever title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Tennessee; that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning at low-water mark on the north bank of Snake Creek where it empties into the Tennessee River; thence westwardly in a straight line to the point where the river road to Crumps Landing, Tennessee, crosses Snake Creek; thence along the channel of Snake Creek to Owl Creek; thence along the channel of Owl Creek to the crossing of the road to Purdy, Tennessee; thence southwardly in a straight line to the intersection of an east and west line drawn from the point where the road to Hamburg, Tennessee, crosses Lick Creek, near the mouth of the latter; thence eastward along the said east and west line to the point where the Hamburg Road crosses Lick Creek; thence along low-water mark of the Tennessee River to the point of beginning, containing three thousand acres, more or less, and the area thus inclosed shall be known as the Shiloh National Military Park: *Provided,* That the boundaries of the land authorized to be acquired may be changed by the said commissioners.

SEC. 2. That the establishment of the Shiloh National Military Park shall be carried forward under the control and direction of the Secretary of War, who, upon the passage of this Act, shall proceed to acquire title to the same either under the Act approved August first, eighteen hundred and eighty-eight, entitled "An Act to authorize the condemnation of land for sites of public buildings, and for other purposes," or under the Act approved February twenty-seventh, eighteen hundred and sixty-seven, entitled "An Act to establish and protect national cemeteries," as he may select, and as title is procured to any portion of the lands and roads within the legal boundaries of the park he may proceed with the establishment of the park upon such portions as may thus be acquired.

SEC. 3. That the Secretary of War is hereby authorized to enter into agreements whereby he may lease, upon such terms as he may prescribe, with such present owners or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they only will cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

Shiloh National
Military Park
established at the
battlefield.

Location.

Proviso.
Changes.

Secretary of War
to acquire land,
etc.

Vol. 25, p. 357.

Vol. 14, p. 400.

Leases, etc.,
authorized.

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FIFTY-THIRD CONGRESS. SESS. III. CH. 12. 1894.

Commissioners to
be appointed.

Selection.

Post, p. 946.
Compensation,
etc.

Duty of
commission.

Marking lines of
battle, etc.

Provisos.
Approval of
designs, etc.

Discriminations
forbidden.

Penalty for
destroying
monuments, etc.

SEC. 4. That the affairs of the Shiloh National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the battle in one of the armies engaged therein, one of whom shall have served in the Army of the Tennessee, commanded by General U. S. Grant, who shall be chairman of the commission; one in the Army of the Ohio, commanded by General D. C. Buell; and one in the Army of the Mississippi, commanded by General A. S. Johnston. The said commissioners shall have an office in the War Department building, and while on actual duty shall be paid such compensation out of the appropriations provided by this Act as the Secretary of War shall deem reasonable and just; and for the purpose of assisting them in their duties and in ascertaining the lines of battle of all troops engaged and the history of their movements in the battle, the Secretary of War shall have authority to employ, at such compensation as he may deem reasonable, to be paid out of the appropriations made by this Act, some person recognized as well informed concerning the history of the several armies engaged at Shiloh, and who shall also act as secretary of the commission.

SEC. 5. That it shall be the duty of the commission named in the preceding section, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the battle of Shiloh and other historical points of interest pertaining to the battle within the Park or its vicinity, and the said commission in establishing this military park shall also have authority, under the direction of the Secretary of War, to employ such labor and services and to obtain such supplies and material as may be necessary to the establishment of the said park under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needed regulations for the care of the park.

SEC. 6. That it shall be lawful for any State that had troops engaged in the battle of Shiloh to enter upon the lands of the Shiloh National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs and inscriptions for the same shall first receive the written approval of the Secretary, which approval shall be based upon formal written reports, which must be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State.

SEC. 7. That if any person shall, except by permission of the secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or ally portion thereof; or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park. or

FIFTY-THIRD CONGRESS. SESS. III. CH. 12. 1894.

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hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies for. merely engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed or any court of competent jurisdiction shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than fifty dollars, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

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SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this Act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, and the pay and expenses of the commissioners and their assistant, the sum of seventy-five thousand dollars or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this Act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress.

Appropriations
for expenses.

Approved, December 27, 1894.

10. Stones River National Military Park, Tennessee

SIXTY-NINTH CONGRESS. SESS. III. CH. 374. 1927.

1399

CHAP. 374.—An Act To establish a national military park at the battlefield of Stones River, Tennessee.

March 3, 1927.

[H.R. 6246.]

[Public, No. 777.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Stones River, Tennessee, and the historical events associated therewith.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Stones River, Tennessee, and to carefully study the available records and historical data with respect to the location and movement of all troops which engaged in the battle of Stones River, and the important events connected therewith, with a view of preserving and marking such field for historical and professional military study. The commission shall submit a report of its findings and recommendations to the Secretary of War not later than December 1, 1927. Such report shall describe the portion or portions of land within the area of the battle field which the commission thinks should be acquired and embraced in a national park and the price at which such land can be purchased and its reasonable market value; the report of the commission shall also embrace a map or maps showing the lines of battle and the locations of all troops engaged in the battle of Stones River and the location of the land which it recommends be acquired for the national park; the report of the commission shall contain recommendations for the location of historical tablets at such points on the battle field, both within and without the land to be acquired for the park, as they may deem fitting and necessary to clearly designate positions and movements of troops and important events connected with the battle of Stones River.

SEC. 4. The Secretary of War is authorized to assign any officials of the War Department to the assistance of the commission if he deems it advisable. He is authorized to pay the reasonable expenses of the commission and their assistants incurred in the actual performance of the duties herein imposed upon them.

SEC. 5. That, upon receipt of the report of said commission, the Secretary of War be, and he is hereby; authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by

Stones River
National Park.
Commission
created.

Army Engineer
officer.
United States
Civil War
veteran.
Confederate
States Civil War
veteran.
Qualifications of
commission.

Inspection and
report of battle
field of Stones
River, for
preserving, etc.

Report of
commission.

1400

Assistance of War
Department
officials, etc.

Acquiring lands
by purchase of
condemnation.
Duties of
commission.

Proviso.
Cost limitation.

To be the Stones
River National
Park, on cession of
jurisdiction by
Tennessee, etc.

Control of
Secretary of War.

Superintendent.

Agreement with
present holders of
lands, for
protection thereof,
etc.

1401
States may mark
lines of battle of
their troops.

Proviso.
Approval of
marking, etc., by
Secretary of War.

Penalty for
destroying,
injuring, etc.,
property.

the commission, together with such other points as the Secretary of War may deem appropriate: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys and compensation for the land, the cost of marking the battle field, and the expenses of the commission, shall not exceed the sum of \$100,000.

SEC. 6. That upon the ceding of jurisdiction by the legislature of the State of Tennessee and the report of the Attorney General of the United States that a perfect title has been acquired, the lands acquired under the provisions of this Act, together with the area already enclosed within the national cemetery at the battle field of Stones River and the Government reservation in said battle field upon which is erected a large monument to the memory of the officers and soldiers of General Hazen's brigade who fell on the spot, are hereby declared to be a national park, to be known as the Stones River National Park.

SEC. 7. That the said Stones River National Park shall be under the control of the Secretary of War, and he is hereby authorized to make all needed regulations for the care of the park. The superintendent of the Stones River National Cemetery shall likewise be the superintendent of and have the custody and care of the Stones River National Park, under the direction of the Secretary of War.

SEC. 8. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 9. That it shall be lawful for the authorities of any State having troops engaged in the battle of Stones River to enter upon the lands and approaches of the Stones River National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War, and shall first receive the written approval of the Secretary.

SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statue memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, enclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breastworks, earthworks, walls or other defenses or shelter, or any part thereof, constructed by the armies formerly engaged in the battle on the lands or approaches to the park, any person so offending shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall for each and every such offense be fined not less than \$5 nor more than \$100.

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SEC. 11. That the sum of \$100,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended for the purposes of this Act: *Provided*, That no obligation for the purchase of lands shall be incurred until the commission has filed the boundaries of said park.

Approved, March 3, 1927.

Amount
authorized to be
expended.

Proviso.
Conditions.

11. Vicksburg National Military Park, Mississippi

FIFTY-FIFTH CONGRESS. SESS. III. CH. 176. 1899.

841

CHAP. 176—An Act To establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

February 21, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on, the battlefield of Vicksburg in the State of Mississippi, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Mississippi; that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning near the point where the graveyard road, now known as the City Cemetery road, crosses the line of the Confederate earthworks, thence north about eighty rods, thence in an easterly direction about one hundred and twenty rods, thence in a southerly direction, and keeping as far from the line of the Confederate earthworks as the purposes of the park may require and as the park commission, to be hereinafter named, may determine, but not distant from the nearest point on said line of Confederate earthworks more than one hundred and sixty rods at any part, to a point about forty rods south and from eighty to one hundred and sixty rods east of Fort Garrott, also known as the "Square Fort;" thence in a westerly direction to a point in the rear of said Fort Garrott, thence in a northerly direction across the line of the Confederate earthworks and to a point about two hundred feet in the rear of the said line of Confederate earthworks, thence in a general northerly direction, and at an approximate distance of about two hundred feet in the rear of the line of Confederate earthworks as the conformation of the ground may require, to the place of beginning. This to constitute the main body of the park. In addition thereto a strip of land about two hundred and sixty-four feet in width along and including the remaining parts of the Confederate earthworks, namely, from the north part of said main body of the park to and including Fort Hill or Fort Nogales on the high hill overlooking the national cemetery, and from the south part of said main body of the park to the edge of the bluff at the river below the city of Vicksburg; and also in addition thereto a strip of land about two hundred and sixty-four feet in width, as near as may be, along and including the Federal lines opposed to the Confederate lines herein and above named and not included in the main body of the park; and in further addition thereto such points of interest as the commission may deem necessary for the purposes of the park and the Secretary of War may approve; the whole containing about one thousand two hundred acres, and costing not to exceed forty thousand dollars.

SEC. 2. That the establishment of the Vicksburg national military park shall be carried forward under the control and direction of the Secretary of War; and the Secretary of War shall, upon the passage of this Act, proceed to acquire title to the same by voluntary conveyance or under the Act approved August first, eighteen

National Military
Park, Vicksburg,
Miss.,
established.

Location.

Limit of cost.

Secretary of War
to establish park.

—to acquire title,
etc.

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FIFTY-FIFTH CONGRESS. SESS. III. CH. 176. 1899.

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—to make leases
to occupants of
land.

842
—conditions.

Proviso.
—retaking
possession, etc.

Commissioners.

Secretary.

Duties of
Commissioners.

Regulations.

hundred and eighty-eight, entitled “An Act to authorize the condemnation of land for sites of public buildings, and for other purposes,” or under Act approved February twenty-second, eighteen hundred and sixty-seven, entitled “An Act to establish and protect national cemeteries,” as he may elect or deem practicable; and when title is procured to all of the lands and roads within the boundaries of the proposed park, as described in section one of this Act, he may proceed with the establishment of the park; and he shall detail an officer of the Engineer Corps of the Army to assist the commissioners in establishing the park.

SEC. 3. That the Secretary of War is hereby authorized to enter into agreements of leasing upon such terms as he may prescribe, with such occupants or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority: *Provided*, That the United States shall at all times have and retain full right, power, and authority to take possession of any and all parts or portions of said premises and to remove and expel therefrom any such occupant, tenant, or other person or persons found thereon whenever the Secretary of War or the commissioners shall deem it proper or necessary; and such right, power, and authority shall be reserved in express terms in all leases and agreements giving or granting such occupant or tenant the right to remain in possession as herein contemplated; and thereupon said occupant or tenant or other persons who may be required to vacate said premises shall each and all at once surrender and deliver up the possession thereof.

SEC. 4. That the affairs of the Vicksburg national military park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the siege and defense in one of the armies engaged therein, two of whom shall have served in the army commanded by General Grant and one in the army commanded by General Pemberton. The commissioners shall elect one of their number chairman; they shall also elect, subject to the approval of the Secretary of War, a secretary, who shall also be historian, and who shall possess the requisite qualifications of a commissioner, and they and the secretary shall have an office in the city of Vicksburg, Mississippi, or on the grounds of the park, and be paid such compensation as the Secretary of War shall deem reasonable and just.

SEC. 5. That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to restore the forts and the lines of fortification, the parallels and the approaches of the two armies, or so much thereof as may be necessary to the purposes of this park; to open and construct and to repair such roads as may be necessary to said purposes, and to ascertain and mark with historical tablets, or otherwise, as the Secretary of War may determine, the lines of battle of the troops engaged in the assaults, and the lines held by the troops during the siege and defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest

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pertaining to the siege and defense of Vicksburg within the park or its vicinity; and the said commissioners in establishing this military park shall also have authority under the direction of the Secretary of War to do all things necessary to the purposes of the park, and for its establishment under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needful regulations for the care of the park.

SEC. 6. That it shall be lawful for any State that had troops engaged in the siege and defense of Vicksburg to enter upon the lands of the Vicksburg national military park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War, which approval shall be based upon formal written reports which must be made to him in each case by the commissioners of the park; and no monument, tablet, or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of War: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State. The provisions of this section shall also apply to organizations and persons; and as the Vicksburg National Cemetery is on ground partly occupied by Federal lines during the siege of Vicksburg, the provisions of this section, as far as may be practicable, shall apply to monuments or tablets designating such lines within the limits of that cemetery.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work intended for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrub that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles, on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine in the discretion of the said commissioner or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court or justice of the peace or other court in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

Marking lines of
battle, State
troops.

Provisos.
—approval.

—no discrimina-
tion against
States.
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Provisions
applicable to
persons and
organizations.
Vicksburg
National
Cemetery.

Penalty for
injuring property.

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FIFTY-FIFTH CONGRESS. SESS. III. CH. 176. 1899.

Appropriation for
expenses of
establishing.

SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this Act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, material, labor, clerical, and all other necessary assistants, and the pay and expenses of the commissioners and their secretary and assistants, the sum of sixty-five thousand dollars, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this Act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress.

—approval, etc.

Approved, February 21, 1899.